Countering ISIS Call for *Hijra* (Emigration): A Review through the Lens of *Maqāṣid Ash-Sharīʿah*

Muhammad Saiful Alam Shah Bin Sudiman[a1],

[a]Associate Research Fellow S. Rajaratnam School of International Studies

Abstract

From Al-Qaeda to Jemaah Islamiyah (JI), and now the Islamic State of Iraq and Syria (ISIS) or the so-called Islamic State (IS), *hijra* (Arabic for emigration), has been exploited by these groups to justify their call for Muslims all over the world to emigrate to *Dār al-Islām* or abode of Islam. Historically and in the Islamic context, *hijra* refers to the earlier generation of Muslims who left Mecca for Abyssinia as well as Prophet Muhammad's emigration to Medina. This paper focuses on the notion of *hijra* as interpreted by ISIS to draw Muslims to Iraq and Syria to strengthen its rank and file. It argues that the modern jihadists' interpretation of *hijra* is a misrepresentation of the two earlier emigrations. More importantly, it fails to satisfy the *Maqāṣid Ash-Sharīʿah* or the objectives of Sharīʿah law. This paper will make a critical analysis of the concept of *hijra* from the perspective of *Maqāṣid Ash-Sharīʿah*, and offer an ideological rebuttal strategy to counter ISIS's call for *hijra*. It will also attempt to address the ideological flaws in the call which foreign terrorist fighters (or FTF) are unaware of.

Introduction

Islamic history records two accounts of emigration by earlier Muslims during the time of Prophet Muhammad in Mecca. The first emigration was to Abyssinia or Ethiopia followed by the second (and also the last) to Yathrib, the ancient name of Medina. These emigrations were undertaken to avoid persecution by the pagan Quraish over differences in religious beliefs. Many traditional Muslim scholars view the second *hijra* to Medina as a relocation of Muslims from *Dār ul-Kufr* (the land of *kufr* or disbelief as Mecca was then regarded) to *Dār*

---

[1] Corresponding Author Contact: Muhammad Saiful Alam Shah Bin Sudiman, Email: issaifulalam@ntu.edu.sg
Block S4, Level B3, 50 Nanyang Avenue, Singapore 639798

ul-Islam (abode of Islam which was Medina).[2] These migrations have been exploited by terrorist groups such as Al-Qaeda (AQ), Jemaah Islamiyah (JI) and ISIS to justify their calls for Muslims all over the world to emigrate to their controlled territories to join ranks and fight alongside them or to become a member of their community. In its bid to lure global Muslim emigration, ISIS focused on *hijra* as the main theme in its third issue of its monthly online publication *Dabiq*. These developments give rise to the question whether Muslims today, and to a certain degree ISIS, observe *hijra* the way it was understood by the Prophet and subsequent generations of Muslim jurists and scholars.

Contemporary Muslim scholars have challenged ISIS in the ideological front. In the "Open Letter to Baghdadi" a group of Muslim scholars (2014) rejected the legitimacy of the so-called caliph Abu Bakr al-Baghdadi and the Islamic State citing theological grounds. In a media interview, Al-Qaradawi[3] maintained that ISIS' declaration of its caliphate was in opposition to Sharīʿah law (Al Arabiya, 2014). Al-Yaqoubi[4] (2015) stressed that ISIS atrocities such as kidnapping, killing of prisoners and torture did not represent true Islam. However, ISIS consistently claim that its practices are in compliance with Sharīʿah law and attempts to substantiate its arguments by citing the Quran, Hadith (prophetic saying) and Sunna (prophetic tradition and practice). A close examination of ISIS' claims will prove that

---

[2] Traditional Muslim scholars' understanding of *Dār al-Kufr* and *Dār al-Islam* deduced from a *Hadith* (prophetic saying) albeit Prophet Muhammad himself didn't literally use the term. In a long hadith that underlines the specific conduct of Muslim armies during warfare, Sulaimân bin Buraidah narrated that his father said: "When the Messenger of Allah appointed commanders for an army or expedition, he would advise them personally to fear Allah, exalted and glorified is He, and to be good to those of the Muslims who were under their command. Then he said: "Fight in the Name of Allah, for the sake of Allah. Fight those who disbelieve in Allah. Fight but do not steal from the war booty, do not break your promises, do not mutilate (the dead enemy) and do not kill children. When you meet your enemy among the idolaters, offer them three options, and whichever one they choose, accept it from them and refrain from (fighting) them. Invite them to Islam and if they respond, then accept it from them and refrain from (fighting) them. Then invite them to migrate from their land to the land of the Muhâjirīn (Al-Medinah), and tell them that if they do that, they will have the same rights and duties as the Muhâjirīn have."" Reported by Muslim.

[3] Yusof Al-Qaradawi is a prominent Egyptian sunni scholar based in Qatar. He heads the European Council for Fatwa and Research (ECFR) in Dublin. He also serves as the president of the International Association of Muslim Scholars (IAMS) in London.

[4] Muhammad Al-Yaqoubi is a Sunni Syrian scholar of Islamic theology, jurisprudence and hadith. He was one of the first scholars to speak against ISIS and his book *Refuting ISIS* is a testimony to that. He is listed in the world's 500 most influential Muslims (2016 & 2017). His proficiency in English has drawn significant followers in Europe and the US.

61

Muhammad Saiful Alam Shah Bin Sudiman: Countering ISIS Call for *Hijra*.

they are false. As far as Sharīʿah is concerned, deliberation of the law has to be complemented with another dimension of Islamic science that seeks to comprehend the objective of divine law. This is known as *Maqāṣid Ash-Sharīʿah*. If performing *hijra* is in compliance with Sharīʿah as claimed by ISIS, a critical enquiry of the concept from the perspective of *Maqāṣid Ash-Sharīʿah* is essential. Since there has been no attempt to use this approach, this paper will offer an ideological rebuttal to counter ISIS' call for *hijra*. It will also expose the ideological flaws in ISIS' call for *hijra* which foreign terrorist fighters and sympathisers are unaware of.

ISIS alludes *hijra* is a manifestation of true faith. The group asserts that it is religiously obligated upon Muslim to abandon a territory governed by non-Muslim or by Muslim administering manmade law. Relocating himself to a Sharīʿah-ruled state is an expression of *al-walā' wal barā'*[5] (Dabiq, 2015) thus there is a tendency to deliberate the creed of *al-walā' wal barā'* when addressing *hijra*. And because *hijra* was also used by other religiously motivated terror groups in the past the temptation to discuss *hijra* in the context of other jihadi group is persuasive. This essay, however, is not addressing *hijra* from that point of view due to two reasons. Firstly, any attempt to tackle the creed of *al-walā' wal barā'* within this study will only lead to another dimension. It will take the focus away from the central argument which is about *Maqāṣid Ash-Sharīʿah* as a rebuttal tool to delegitimize ISIS' claim of *hijra* in the name of Sharīʿah. The other reason is because religiously motivated Islamist group such as Al Qaeda casted the notion of *hijra* differently from the one of ISIS. The former's manifestation of *hijra* was a reference to movement of fighters crossing borders to enter Afghanistan to fight alongside the Mujahideen during the Soviet-Afghan War. Settling in Afghanistan was not the objective. ISIS, conversely, demands Muslims to reside in their controlled territories and help to build the state.

Winter (2015) observes there are at least seven subsets to ISIS narrative projected through its media production. This includes religion, economy, social, justice, governance,

---

[5] According to Ali (2015) the term "wala' refers to the undivided loyalty Muslims should portray to God, Islam and their Muslim co-religionists over all other things, while bara' refers to the disavowal of anything deemed un-Islamic."

Muhammad Saiful Alam Shah Bin Sudiman: Countering ISIS Call for *Hijra.*

territorial expansion and nature. This paper, however, is an attempt to tackle the religious aspect of the group's *hijra* narrative. In addressing *Maqāṣid Ash-Sharīʿah,* this study renders its focus to two out of six of its classifications in the early days of formulation; the preservation of one's faith and soul (*hifẓ ad-dīn wa an-nafs*). This essay is presented in five sections. It begins with a brief overview of the notion of hijra from the lens of Islamic history. The second section examines the definition and the history of *maqāṣid*. The deliberation then proceeds to discuss on its classifications and how it responds to historical context. The crux of the discussion is offered in the fourth section which offers an analysis of the correlation between *Maqāṣid Ash-Sharīʿah* and *hijra* and revisits and scrutinizes the jihadists' notion of *hijra*. The final section will draw conclusions from the preceding discussions.

The History of *Hijra*

The first *hijra* came about as a result of persecution and ill-treatment of Muslims by Meccan Arabs. Prophet Muhammad's clan and fellow Muslims experienced severe economic and social boycott. Ibn Hishām (1990) in his seminal book *As-Sīrah An-Nabawiyyah* noted a comment made by Ibn Ishāq that Prophet Muhammad was physically hurt, and accused of being a poet, a sorcerer and an insane man. Armstrong (2002) observed that the Quraysh clan had forbidden any marriage and trade with Muslims. Muslim slaves faced the harshest oppression. One of them was Bilal, an Abyssinian slave who was laid in the hot sun with a huge rock placed on his chest (Forward, 1997) in an attempt to revert him to his old faith. The family of Yaser (better known as Āl Yāser) was severely tortured, resulting in the death of his wife, Sumayya (Ibn Hishām, 1990). These ill treatments were the real reason why Prophet Muhammad suggested to a group of eighty-three Muslims (Ibid.) that they leave Mecca and seek refuge with Negus, a Christian king of Abyssinia (Ethiopia).

Prior to the second *hijra* which was to Yathrib (Medina), Prophet Muhammad received multiple visits by groups of Medinans. An alliance was forged through two covenants of loyalty known as the Pledge of 'Aqaba (Forward, 1997). The groups vowed to render support and protection to Prophet Muhammad and Islam. This paved the way for

Muslims to emigrate to Medina. As the numbers of Muslims secretly making their way to Medina grew, the Quraysh clan became more violent towards them, and plotted to assassinate the Prophet. This was the turning point leading to the Prophet's emigration to Medina, accompanied by his closest friend, Abu Bakar.

The above accounts clearly demonstrate that *hijra* was resorted to only after the escalation of violence against Muslims. *Hijra* emerged as a solution to preserve the basic right to practice one's faith and to certain degree, protect one's life. This is clearly reflected in the Quran: "To those who leave their homes in the cause of Allah, after suffering oppression - We will assuredly give a goodly home in this world; but truly the reward of the hereafter will be greater. If they only realized (this)!" (The Holy Quran, 16:41). Similar sense can be observed in another verse "He who forsakes his home in the cause of Allah, finds in the earth many a refuge, wide and spacious." (Ibid., 4:100) In short, the long-term purpose of emigration was a strategic move to safeguard Islam's survival.

Historical accounts show that religious persecution was the main reason for the flight. Although earlier Muslims left Mecca for Medina and later formed an Islamic territory there, freedom of religious practice in Medina was not taken away from other faith groups. This is in stark contrast to ISIS' practices and manipulation of the concept of *hijra*. This is evident when three Southeast Asian Muslims were featured in a video that shows them persecuting three men of other faith group (Jihadology, 2016).

The group's campaign on *hijra* is presented in several facades. Firstly, the responsibility to perform *hijra* is incumbent upon Muslims especially for the experts, professionals and specialists (Dabiq, 2014). This move to build and enhance the capacity of a newly established state is tied to the notion of religious obligation thus making it a form of act of worship (An-Naba', 2016). Secondly, *hijra* is a solution to end Muslims' slavery to a "kafir master" which is systematically engineered through employment (Dabiq, 2014). The group suggests that dignity can only be reclaimed if one chooses to live in ISIS-ruled territories and dedicate his life to Allah (Ibid.).

Muhammad Saiful Alam Shah Bin Sudiman: Countering ISIS Call for *Hijra.*

It is important to note that Muslims draw lessons from Quran and the Sunna, the two main source of Sharīʿah, for guidance. Every event or account is unique and hence, each receives different treatment as far as the Sharīʿah is concerned. Sharīʿah treats every event in a different way based on the context of its occurrence. This explains the verses in the Quran that order the oppressed Muslims to leave Mecca by justifying that Allah knows what is best for them at that point of time. "And their Lord hath accepted of them, and answered them: "Never will I suffer to be lost the work of any of you, be he male or female: Ye are members, one of another: Those who have left their homes, or been driven out therefrom, or suffered harm in my cause, or fought or been slain,- verily, I will blot out from them their iniquities, and admit them into gardens with rivers flowing beneath;- A reward from the presence of Allah, and from His presence is the best of rewards."" (The Holy Quran, 3:195).

The above account demonstrates that *hijra* was not required if a threat was not present. For example, not all Muslims left Mecca when the call for emigration was made because those who received guaranteed protection from abuse and harm remained. Abu Nu'aim an-Nahham, a Muslim convert who took charge of orphans and widows of his tribe was one of them. He postponed his emigration because his tribe gave the assurance that his safety was protected. When he finally moved to Medina, Prophet Muhammad said to him "My people chased me out and wanted to kill me, while your people gave you the protection." (Ibn Al-Athīr, 2012). In the modern-day example, then Mauritanian Minister of Justice and also the present President of the Forum for Promoting Peace, Shaykh Abdallah Bin Bayyah (Islamtoday, 2003) issued a religious edict asserting that *hijra* can be performed to a non-Muslim state that upholds justice. This is also applicable to Muslims who experience threats against his life, wealth and religious practices albeit living in an Islamic state. The destination or host country, however, must be one that can alleviate these shortcomings.

This is the distinction in the understanding of *hijra* between the majority of Muslims and ISIS. From the former's standpoint, *hijra* is not a barometer of one's faith. It is not even part of the five fundamental pillars of Islamic faith. *Hijra* is merely an option and is not required if the reasons for it not evident. Furthermore, even if the need arises, the destination

Muhammad Saiful Alam Shah Bin Sudiman: Countering ISIS Call for *Hijra.*

of *hijra* can be to any place that is conducive for one to practice his belief, or core Islamic practices at the very least. ISIS however, perceives *hijra* as a stepping-stone to armed struggle (Dabiq, 2014) which they loosely translate as jihad. The group also stressed that "abandoning Jihad is a trait of hypocrisy" (Ibid.). ISIS has also sought to mislead believers that since it is already established in Iraq and the Levant, it is incumbent upon Muslims to make their way there or to any of the "wilayat of the Khilafah", and not elsewhere or to the lands of the Christians (Dabiq, 2015). ISIS asserted the urgency to build the caliphate's capacity and capability through the emigration of professional Muslims to its controlled land. Unfortunately, its repudiation of "false borders" specifically the Middle East - pointing to the Sykes-Picot agreement - and its motto *"bāqiyah wa tatamaddad"* which means "forever and ever-expanding" are more prominent than the "ummah building" rhetoric. This demonstrates ISIS' *hijra* campaign is heavily slanted toward supporting its quest for territorial expansion through military engagement vis-à-vis pro-violence stance. This "worldly" *hijra* aspiration does not align itself with the one of the Prophet.

Introduction to Maqāsid

Maqāṣid is the plural form of *maqsid* which means goal, intention and objective. *Maqāṣid Ash-Sharīʿah* hence denotes the spirit behind Sharīʿah ruling. It illustrates what Sharīʿah seeks to achieve through its law. Kamali[6] (2011) notes that pioneer scholars of *maqāṣid* such as Abu Ḥamid al-Ghazali (d. 1111), ʿIzz al-Din ʿAbd al-Salam (d. 1262) and al-Shaṭibi (d. 1388) did not deliberate on its definition as they assumed the linguistic clarity of the word. Contemporary scholars, however, have formulated definitions to crystallize the idea further to supplement the growing literature on *maqāṣid*. This is necessary given the ever-expanding dimension of *maqāṣid* in relation to new developments and challenges in life. Qaradawi (1973) for instance asserts that "*Maqāṣid Ash-Sharīʿah* functions to attract benefits

---

[6] Mohammad Hashim Kamali is an Afghan scholar. He taught Islamic Law and Jurisprudence at the International Islamic University Malaysia (IIUM, 1985–2004); and was Dean of the International Institute of Islamic Thought and Civilisation (ISTAC, 2004–2006). Currently he is Senior Fellow at the Institute of Strategic and International Studies (ISIS) Malaysia, a Senior Fellow of the Academy of Sciences of Afghanistan, and also Senior Fellow of the Royal Academy of Jordan.

Muhammad Saiful Alam Shah Bin Sudiman: Countering ISIS Call for *Hijra.*

to human being and distance them from harm and mischief." Al-Zuhaili[7] (2009) defines it as objectives, goals, results and the spirit that are attached to the Sharī'ah. Kamali (1999) notes that *maqāṣid* "largely concerned with the philosophy of the law, its outlook and objectives, rather than the formulation of its specific text" hence it received little attention during the early days of the development of Islamic legal thought. It is argued that the notion of *maqāṣid* is the end goal rather than conformity to what is prescribed by Sharī'ah. In explaining contemporary understanding of *maqāsid*, Auda[8] (2008), a contemporary specialist on the subject, proposes *maqāṣid* as "a branch of Islamic knowledge that answers all the challenging questions of 'why' on various levels." Here, one can ask for the reasons why some activities such as social drinking and crimes such as giving and receiving bribes are forbidden in Islam. Sharī'ah stresses that maintaining one's senses through avoidance of intoxicants is paramount while accumulating wealth through crimes such as robbery and bribery is a cruelty and unjustifiable. Hence, they are forbidden and deemed sinful.

Maqāṣid may also be understood through another dimension known as *maṣālih* or public interest. Auda (Ibid.) observed that several Islamic legal theorists such as Abd al-Malik al-Juwayni associated *maqāṣid* with 'people's interests (*maṣālih*)' and even used the two terms interchangeably. Another prominent jurist Al-Qarafi (1994) linked the two by suggesting that "*maqṣid* is valid only if it complements towards the fulfillment of *maṣlahah* (singular for *maṣālih*) or the avoidance of some mischief (*mafsadah*)." Therefore, we can establish that *maqāṣid* seeks to identify the wisdom of Sharī'ah law which is to preserve

---

[7] Wahbah Mustafa Al-Zuhaili was a Syrian Sunni scholar of Islamic law and jurisprudence. He authored many prominent books on fiqh and jurisprudence such as al-Fiqh al-Islami wa Adillatuhu (Islamic Jurisprudence and its Evidences), Athar al-Harb fi al-Fiqh al-Islami: Dirasa Muqarin (The Influences of War in Islamic Jurisprudence: A comparative study), Usul al-Fiqh al-Islami (The Foundations of Islamic Jurisprudence), al-'Alaqat al-Dawli fi al-Islam (International Relations in Islam) etc.

[8] Jasser Auda is the Chairman of the Maqasid Institute, a global think tank based in London, UK. He is a Professor and Al-Shatibi Chair of Maqasid Studies at the International Peace College South Africa, and a Visiting Professor for the Study of Islam at Carleton University in Canada. He is also a member of the European Council for Fatwa and Research. He holds a PhD in the Philosophy of Islamic law from the University of Wales, UK, and a PhD in systems analysis from the University of Waterloo, Canada. He is known for his works in Maqasid and some of his contributions in this realm include: How do we realise Maqasid Al-Shariah in the Shariah? (2016); Rethinking Islamic law for Minorities: Towards a Western-Muslim Identity (2016); Maqasid Al-Shariah: A Beginner's Guide (2008); and Maqasid al-Shariah as Philosophy of Islamic Law: A Systems Approach (2008).

Muhammad Saiful Alam Shah Bin Sudiman: Countering ISIS Call for *Hijra*.

public interest. By definition, interest connotes both personal and communal dimensions. For instance, one should not pursue something that would only satisfy one's interest but forsakes the interest of others including human, animal and even nature. Any effort to comply with rules but compromises the *maqāṣid* is hence unacceptable as it fails to appreciate the innate purpose of Sharīʿah itself.

A critical analysis of the Quran and Sunna reveal that the wisdom of *maqāṣid* can be observed within the two fundamental sources of Islam. Numerous verses and hadith promote the preservation of goodness and eradication of evil in both private and public spheres. For example, the Quran states: "To each is a goal to which Allah turns him; then strive together (as in a race) towards all that is good."(The Holy Quran, 2:148). Another verse states: "We sent aforetime our apostles with clear signs and sent down with them the book and the balance (of right and wrong), that men may stand forth in justice." (The Holy Quran, 57:25). A hadith states: "He will not enter Paradise, whose neighbor is not secure from his evil conduct." (Al-Hajjaj, 2007). Kamali (1999) opines that except for the Zahiris[9] who only acknowledge the *maqāṣid* if it is identified by clear text declaration, the majority of Muslim scholars maintain that the *maqāṣid* can be observed through identifiable causes and should not be confined to clear text alone as demonstrated in earlier verses and hadith.

Classification of Maqāsid

History shows that Sharīʿah was observed as a set of rule and value system during the early stages of Islam. It was introduced to facilitate order in the day-to-day interaction between people and to a certain degree, the rest of creation. The formulation of the theory of *maqāṣid*, however, only took place in the early fourth century when *maqāṣid* was critically deliberated by scholars of that era. Al-Juwayni (1979) made a significant contribution in this regard by becoming probably the first to classify *Maqāṣid Ash-Sharīʿah* into three core

---

[9] Zahiri is a school of Islamic law founded by Abu Sulayman Daud al-Zahiri in the ninth century. Flourished in Spain under the leadership of the jurist Ibn Hazm but extinct by the fourteenth century. Accepted the Quran, hadith, and consensus of the companions as the only sources of authority. Based its legal principles on a literal interpretation of Quran and hadith, rejecting analogy (qiyas), juristic preference (istihsan) and the use of reason in favour of revelation.

categories; the *ḍarūriyyāt* (necessities), the *ḥājiyyāt* (needs) and the *taḥsīniyyāt* (improvements). This is what was referred to by Auda (2008) as 'level of necessity'. With this, according to the hierarchical order, *ḍarūriyyāt* is at the top of the apex of the *maqāṣid* pyramid followed by *ḥājiyyāt* and *taḥsīniyyāt* respectively.

Darūriyyāt signifies necessities which demand a greater degree of compliance. It projects zero-tolerance towards anything that compromises the preservation of the five fundamental necessities coined by Al-Ghazali (1997) in his seminal work *al-Mustaṣfā min ʿIlm al-Uṣūl*. The five necessities are the preservation of one's faith, soul, mind, offspring and wealth. This is what Hallaq[10] (1997) was probably trying to assert when he noted that *darūriyyāt* "are absolutely necessary for the proper functioning of religious and mundane affairs" because Islam seeks to uphold the welfare of its followers in this world and the hereafter through its law vis-à-vis *maqāṣid*. A deficit in the implementation could lead to mischief and disorder.

The following illustrations give a clearer picture concerning the preservation of the abovementioned necessities. In the protection of faith, the Muslim is required to perform religious obligations such as the daily prayers, the contribution of alms, fasting during Ramadan and pilgrimage to Mecca. If any of these are forsaken or barred from practice, it would negatively affect one's devotion to Islam. With regard to preservation of life, Islamic teachings forbid indiscriminate killings of the innocent or non-combatants in peacetime and during war. On the protection of the intellect, Islam prohibits intoxicants, alcohol, banned drugs and the likes as they would seriously compromise one's senses and impair one's judgment. In respect of the protection of posterity, Islam prohibits premarital sex, adultery, casual sex and activities that are harmful to family life and future generations. The fifth and final necessity concerning the protection of wealth justifies the prohibition of theft, robbery and piracy and the need to maintain order to safeguard one's property. It should be noted that

---

[10] Wael B. Hallaq is a scholar of Islamic law and Islamic intellectual history. Some of his scholarly works include A History of Islamic Legal Theories: An Introduction to Sunni Usul al-fiqh (Cambridge, 1997); Origins and Evolution of Islamic Law (Cambridge, 2005); and The Impossible State: Islam, Politics, and Modernity's Moral Predicament (Columbia University Press, 2013) which won Columbia University Press's Distinguished Book Award for 2013-2015.

this understanding of *maqāṣid* was formulated during the early stages as a result of which the focus was heavily slanted toward preserving the welfare of the individual rather than society. Ongoing significant developments in human life and society demand a fresh response from *maqāṣid*. Consequently, some scholars added the preservation of "honor" as the sixth (Kamali, 1999). Ibn Taimiyyah expanded the notion by including the rights of neighbors (Ibid.). I would argue that this marks the beginning of the re-demarcation of the boundaries of *maqāṣid* from individual realm to a wider scale that includes the larger society. In 1993, Qaradawi is also suggesting freedom, justice and social welfare among the higher objectives of the Sharīʿah (Al-Qaradawi, 1993). In 2008, Auda also noted "the traditional *maqāṣid* classification did not include the most universal and basic values, such as justice and freedom, in its basic theory of levels of necessities." He added that the "expansions of the scope of *maqāṣid* allows them to respond to global issues and concerns, and to evolve from 'wisdoms behind the rulings' to practical plans for reform and renewal." (Auda, 2008). This paved the way for 'universal *maqāṣid*' to be introduced. Universal *maqāṣid* connotes the general world community including non-Muslims, animals and the environment. This is probably what Al-ʿAlwani (2001) suggested by asserting there exist three elements in 'supreme' *maqāṣid*, one of which is *"ʿimrān"* or the development of civilization.
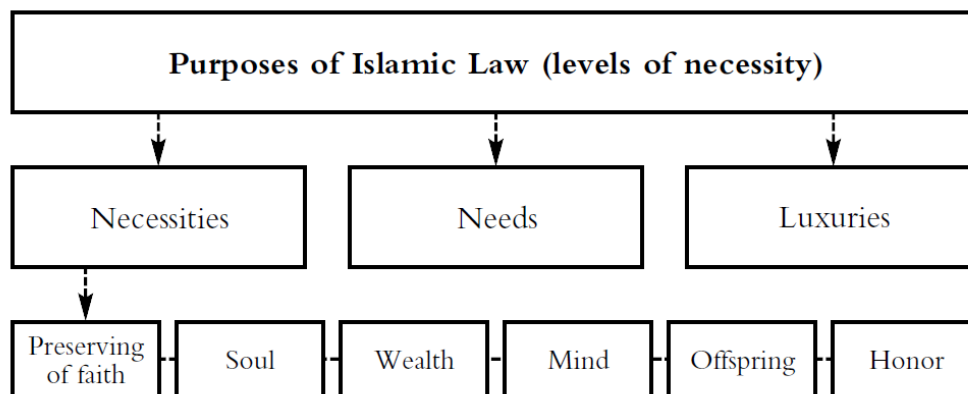
Figure 3: Auda's impression of Classifications of *maqāṣid* in the early days of its formulation

Muhammad Saiful Alam Shah Bin Sudiman: Countering ISIS Call for *Hijra.*

The *Maqāṣid – Hijra* Nexus

Sections two and three demonstrate how *maqāṣid* weighs in to achieve the desirable end state Sharīʿah law. Traditional Muslim scholars observed six types of necessities, the least that need to be preserved. Contemporary scholars on the other hand, applaud the idea that other than these six values, there should be an open-ended list of values that depart from individually-focused to society-centric values. In light of this development, I would argue that religiously-motivated behavior must correspond to and satisfy these values. A similar approach should be applied to examine the purportedly 'religiously-evidenced' arguments advanced by the likes of AQ, JI and ISIS, in particular, exploited concepts from religious texts and literature.

As far as *hijra* in the early days of Islam is concerned, it was a response to uphold *maqāṣid*. These emigrations were necessary to preserve three of the six necessities in *maqāṣid*; the faith, soul and honor. *Hijra* was the only option in order to, firstly, continuously practice Islam, and secondly, avoid physical torture that could result in loss of life. A closer examination of this episode also reveals that Abyssinia offered more than just the preferred and safe temporary abode but that the land was ruled by a Christian ruler who was known for his good treatment of all people.

Significantly this very first emigration settled at the *Dār ul-Kufr* or the land of non-believers. This gives rise to two important points in discussing contemporary discourse over the choice of localities which Muslims should settle in. First, contrary to jihadist contention which proposes the binary perspective in observing a state as either *Dār ul-Islām* or *Dār ul-Kufr,* the above historical account proves that Muslims are encouraged to stay in a locality where his rights to profess his belief are preserved and, where he will not be subjected to ill-treatment or discrimination due to his religious orientation. Second, the potential destination for emigration should not be limited to a Muslim-ruled territory and one administered only by Sharīʿah law.

The former Grand Mufti of Egypt Shaykh Gad Al-Haq Ali Gad Al-Haq issued a fatwa or religious decree that affirmed the permissibility for Muslim to reside in any country that allows him to practice his creed. "If a Muslim feels that his religion is safe and he is able to practice it freely in a country that essentially has no religion or it accommodates religion other than Islam, it is allowable for him to stay. If he fears for his religion, morals, property or self-worth, then it is obligatory for him to move to a country where he can be safe." (Tubuliyak, 1997). The spirit of the decree was later reinforced by Qaradawi (1993) who suggested *maqāṣid* should, among other considerations, promote freedom and justice, a criterion that parallels itself to article 18 of the Universal Declaration of Human Rights (UDHR). With Article 18 of the UDHR being practiced in most UN member states, there is a little need for *hijra*. The article in fact lays the foundation for *maqāṣid*-hijra-human rights nexus.

I am of the view that the Grand Mufti decree and Qaradawi's stance underscore the importance of living in a locality where religious tolerance and harmonious living are manifested at its best. The presence of religious persecution warrants one to relocate to a place where similar dangers or situations are not prevalent. However, this premise can be a double-edged sword and terrorist groups such as ISIS have been quick to exploit it by creating situations that compel Muslims to *hijra*. For instance, ISIS attacks countries such as America, Belgium and Indonesia even though these countries allow religious groups particularly Muslims to practice their belief. Among its reasons for doing so is to destroy the existing social fabric and create distrust and animosity among the citizens, specifically between Muslims and non-Muslims. Any attack mounted in the name of Islam begets hate crimes against Muslims (as is already evident in the US, Europe and elsewhere). ISIS hopes that this backlash would create the impression among Muslims that they have no place in that society and impel them to *hijra* to ISIS-held territories.

Similar to AQ and JI, ISIS legitimizes its claims and tries to garner Muslim support by relying on concepts that they distil from the two main sources of Islamic teachings, the Quran and the Sunna. In his post-9/11 speech, then Al-Qaeda leader Osama bin Laden asserted that the rise of an Islamic state is dependent on five conditions, one of which is *hijra* (MEMRI,

2003). In Southeast Asia, Jemaah Islamiyah also placed hijra as one of its five founding principles (PUPJI English Translation, 2012). After conquering Mosul, ISIS focused on *hijra* as the main theme in its attempt to mobilise global Muslims to move to their newly "restored" Islamic state (Dabiq, 2014).

Before we begin to analyze the *maqāṣid-hijra* nexus it is important to identify two types of arguments put forth by ISIS in its *hijra* rhetoric. First, *hijra* is obligatory upon "all" Muslims, and second, the destination of *hijra* is to *Dār ul-Islām* or the abode of Islam, which to ISIS, refers to the lands they control in Iraq and Syria (An-Naba', 2016). The following paragraphs demonstrate the fallacy of the group's arguments and give a clearer picture on how *Maqāṣid Ash-Sharīʿah* is completely omitted in its arguments.

Hijra as Religious Obligation

Islamic rituals fall into two types, obligatory (*Fardh*) or voluntary (*Nāfilat*). According to ISIS, *hijra* falls under the former. The group asserts that "… hence every Muslim reserves his right to relocate (himself) to Dār ul-Islam and settle there." *(fa kullu Muslim lahū haqq fī al-intiqāl ilā Dār il-Islām wa al-iqāmat fīhā)*(Ibid.). The group argues that relocating to ISIS is an act of worship in the cause of Allah: "*Hijra* in the cause of Allah is among the best form of worships that place the slave close to his Lord." *(al-Hijra fī sabīl Allah min afdhal al-ʿibādāt al-latī yataqarrabu bihā al-ʿabd ilā mawlāhu)*(Ibid.). Accordingly, Muslims should leave his country (especially in the Middle East) which was created based on Sykes-Picot "false border demarcation" *(al-hudūd al-mustanaʿat)* (Ibid.) and make his way to ISIS to support the caliphate and redraw the border. The arguments above explain why some ISIS members' burn their passports after reaching the territory safely (Al Hayat, 2014). ISIS also tries to persuade Muslims to migrate to its territory by declaring that those who do not perform *hijra* for whatever reason, to be a sinner (Dabiq, 2014):

> *"Therefore, every Muslim professional who delayed his jihad in the past*
> *under the pretense of studying Shariʿah, medicine, or engineering, etc.,*

> *claiming he would contribute to Islam later with his expertise, should now*
> *make his number one priority to repent and answer the call to hijrah,*
> *especially after the establishment of the Khilafah. This Khilafah is more in*
> *need than ever before for experts, professionals, and specialists, who can*
> *help contribute in strengthening its structure and tending to the needs of*
> *their Muslim brothers. Otherwise, his claims will become a greater proof*
> *against him on Judgment Day."*

ISIS insists that the barometer of one's faith is measured through his willingness to break ties with his loved ones. Their understanding of this tenet is drawn from their literalist reading of the following hadith: *"The Messenger of Allah said, "Verily Islam began as something strange, and it will return to being something strange as it first began, so glad tidings to the strangers." Someone asked, "Who are the strangers?" He said, "Those who breaks off from their tribes."*(Dabiq, 2014). In its comment on this hadith, ISIS argues that "strangers are those who left their families and their lands, emigrating for the sake of Allah and for the sake of establishing His religion." (Ibid.).

The Response

The argument that *hijra* would make a Muslim closer to God is inaccurate. If this is true, the Meccans and those who reside in the Holy Land would deserve this privilege by virtue of the location of the Ka'aba[11] and the al-Haram Mosque. Prophet Muhammad was reported to have said "Whoever purifies himself (perform ablution) in his house and then comes to the mosque of Quba and prays in it will have a reward similar to performing the Umrah (small pilgrimage)." (Ibn Mājah, 2007). This suggests that one can attain the reward of an umrah by performing the ritual in the manner indicated by the hadeeth. We can conclude

---

[11] Ka'aba is the cube covered in black silk cloth located at the center of the Al-Haram Mosque in Mecca, Saudi Arabia. It is the *Qibla*, a direction where Muslims turn to when performing their prayer (solat).

74

Muhammad Saiful Alam Shah Bin Sudiman: Countering ISIS Call for *Hijra*.

that the type and the quality of ritual could get one closer to God regardless of his whereabouts. Location is not a fundamental.

It can also be argued that the hadith stating that Islam started as something strange and praising Muslims who are considered as "strangers", cannot be used to coerce Muslims to perform *hijra*. Instead, the hadith should be read against the religious backdrop of 7th century Arabia. First, the assertion about Islam "being something strange" came about in the context of the Prophet warning Muslims that the religion would not be easily accepted given the conventional climate then that was alien to monotheistic belief. Those who subscribe to Islam's monotheism would be seen as strangers. This was the reality then as Meccan Muslims observed Islamic teachings that were at variance with the common practices of polytheism and idolatry. In Quran "Say: O ye That reject Faith! I worship not what ye worship. Nor will ye worship that which I worship. And I will not worship that which ye have been wont to worship. Nor will ye worship that which I worship. To you be your way, and to me mine." (The Holy Quran, 109:1-6).

Re the second part of the text *"Those who breaks off from their tribes",* the hadith seems to suggest severing ties with one's tribes by performing *hijra*. I would argue that the hadith should be read in the light of the social change that was taking place during that time. For instance, a Muslim would distinguish himself from the other faith groups through his observance of religious obligations. His abandonment of the old religion (polytheism and idolatry) and adoption of a new one (monotheism) would appear strange in the sight of other faith groups. The hadith, therefore, was a directive for a new Muslim to detach himself from the religious practices of his tribes, not blood ties.

It is also important to note that Muslims are obliged to maintain cordial relationship with family members with different beliefs, not "break off" relationship with them. The Prophet evidently manifested this teaching by treating his two paternal uncles Abu Talib and Abu Jahal with kindness although they refused to accept the calling to Islam. A literal approach in reading the hadith causes ISIS to miss the underlying message of *maqāṣid*. I concur that a convert must leave his past religious beliefs and practices behind upon his

conversion to Islam as this is in tandem with one of *maqāṣid* objectives, which is to preserve faith. This does not necessarily require one to leave his homeland and abandon his responsibility as a Muslim and a member of his community. This clearly contradicts what God said in Quran: "And remember We took a covenant from the Children of Israel, (to this effect): Worship none but Allah; treat with kindness your parents and kindred, And orphans and those in need." (The Holy Quran, 2:83). The fallacy of ISIS' *hijra* narrative from this standpoint is therefore self-evident in a context where Muslims are already practicing Islam freely in their locality. Their presence in their existing localities, in addition to maintaining family and community ties, are more needed than ever before as the spirit of *maqāṣid* in preserving faith could continue to be observed there.

Hijra to Dār ul-Islām

ISIS stressed that *hijra* from "dārul-kufr to Dārul-Islām" is obligatory (Dabiq, 2015). In one of its online propaganda, it states that "…it is compulsory upon Muslim to live in Dār ul-Islām, and he is permitted to travel within its provinces and cities, and he is forbidden to live in Dār ul-Kufr, and it is compulsory upon him (to abandon it) and emigrate to Dār ul-Islām." *(idh yajibu ʿalā al-muslim al-iqāmat fī dār il-Islām, wa yajūzu lahu as-safar fī mā bayna aqṭārihā wa buldānihā, wa tuḥramu ʿalaihi al-iqāmat fī dār il-kufr, wa tajibu ʿalaihi al-hijra minhā ilā dār il-Islām.)*(An-Naba', 2016). This crystallizes ISIS position that Muslims today should leave his homeland, emigrate and live in the 'real' abode of Islam (Ibid.). ISIS attempts to give its own criteria of what is an Islamic state. First, an Islamic state must be led by a caliph. Second, the state's operations must be based solely on Sharīʿah law and not man-made laws. Third, there should be no political ties or peaceful relationship with *Toghūt*[12] governments. Last but not least, *Dārul ul-Islam* is ever expanding; it does not recognize "false border" and neither does it recognize the notion of nationalism and nation state. Al-Baghdadi said "It is a state where the Arab and non-Arab, the white man and black

---

[12] Toghut is Quranic term for false god or idol. Also applied to tyrannical rulers who arrogate God's absolute power and use it to oppress people. See http://www.oxfordislamicstudies.com/article/opr/t125/e2301

Muhammad Saiful Alam Shah Bin Sudiman: Countering ISIS Call for *Hijra.*

man, the easterner and westerner are all brothers." (Dabiq, 2014). ISIS' reinterpretation of Islamic state is significant because it delegitimizes other self-claimed Islamic countries such as Saudi Arabia, Pakistan, Afghanistan and even Iran whom, according to the group, have failed to project the true image of an Islamic state. It is obvious that ISIS wants to shape public perspective of what is an Islamic state and how it should behave in the international stage. ISIS also projects falsely how life was in Medina under the leadership of Prophet Muhammad.

Response to ISIS

First of all, the categorization of territories into these two groupings is *ijtihadiy* or an independent reasoning issued by learned scholars. *Ijtihad* is an instrument used to respond to contemporary religious, political, sociological and economic issues that have no 'direct' precedence in Islamic history, and nothing of similar nature can be drawn from the Quran and Sunna. Both these two primary sources of Islamic teachings do not classify a territory as Dār ul-Islām and Dār ul-Kufr.

In discussing religious freedom and security in a certain locality, traditional Muslim jurists such as Abu Hanifah suggested two types of land and territory -- *Dār ul-Islām*, land ruled by Muslims and in which Islamic law is enforced or the opposite which is *Dār ul-Ḥarb* (abode of war) although war or situation that leads to war wasn't imminent. The Hanafis also opined that the former could become the latter in the following situations: after conquest by unbelievers, when the conquered territory is adjacent to *Dār ul-Ḥarb* and the lives of Muslims and *dhimmīs*[13] are endangered (Esposito et al., 1995). On the other hand, the majority of jurists from the three schools of thought such as Mālik bin Anas, Muhammad ibn Idrīs ash-Shāfiʿī and Ahmad bin Hanbal added *Dār ul-ʿAhd* (territory of truce) as the third type of

---

[13] Non-Muslim but protected under Muslim treaty

77

Muhammad Saiful Alam Shah Bin Sudiman: Countering ISIS Call for *Hijra*.

territory. It sometimes reads as *Dār ul-Ṣulh* (territory of peace). Both referred to territory ruled by non-Muslims who have come into treaty with Muslim ruler.

In relation to this, Abdallah bin Bayyah observes that "the land that is ruled according to non-Islamic laws and its residents are non-Muslims, is regarded today as – with little and infrequent exception – the land of peace. It was named as the land of peace due to international treaties that prohibit transgression", *(ad dār al latī taḥkumuhā qawānīn ghayra Islāmiyyah wa sukkānuhā ghayr al-muslimīn, fa hādhihī tuʿtabaru fī al-waqti al-hāḍiri – illā mā shadhdha wa nadira – heya dār muwādaʿat aw dār silmi, yutlaqu ʿalaihā dār silmi li wujūdi muʿāhadāti dawliyyah tamnaʿu al-iʿtidā')* (Bin Bayyah, undated). It can be safely presumed that almost all, if not in its entirety, United Nation member states adhere to this international norm. Because religious security and to some extent personal security were the cause of concern when the terms *Dār al-Islām* and *Dār al-Kufr* were first formulated centuries ago, the debate has practically lost its relevance today as the global community recognizes the freedom of professing religious belief and the right to live and be protected from danger. Hence, when a Muslim's safety is protected by the law in a locality where he lives and he is not exposed to religious discrimination, the goal of *maqāṣid* (of protecting one's faith, soul, dignity and well-being) is clearly achieved without him limiting his choices of places to live. A Muslim can therefore choose to live anywhere as long the *maqāṣid's* goal is within reach. This was the wisdom behind the order for earlier Muslims to leave Mecca for Christian-ruled Abyssinia because the territory upheld the abovementioned values.

ISIS also attempted to strengthen their position on *hijra* by arguing that many Muslims made a mistake by choosing the land of the Christians when it comes to emigration. The group argues this was not the case when earlier Muslims settled in Medina after the second *hijra* and in the lands of the *khilāfah* after the establishment of the Umayyad and Abbasid Empire (Dabiq, 2015). Although the emigration did materialize, it is important to note that these mass emigrations were influenced by many factors. First, Muslims emigrating to Medina wanted to be closer to Prophet Muhammad to benefit from learning about Islam directly from the Prophet as part of strengthening and preserving their faith. Second, Medina

Muhammad Saiful Alam Shah Bin Sudiman: Countering ISIS Call for *Hijra.*

promised religious freedom for all; for the first time Muslims were able to practice their faith publicly without fear of ill-treatment from others. Again, the element of *maqāṣid* was at play in this sense. Third, with regard to emigration to the land of Umayyad and Abbasid, it is argued that both lands were the center of gravity then. The caliphate and showing solidarity to the ruling caliph and governors were not the only reasons for mass emigration; other pull factors included social interactions, business opportunities and intellectual engagements. In fact, the peaceful coexistence of interfaith communities living under these caliphates as recorded in history could be one of the reasons of emigration of both Muslims and non-Muslims to the caliphate. As Durant (1950) noted "As in most religions, the various sects of Islam felt toward one another an animosity more intense than that with which they viewed the "infidels" in their midst. To these Dhimmi - Christians, Zoroastrians, Sabaeans, Jews - the Umayyad caliphate offered a degree of toleration hardly equaled in contemporary Christian lands." Again, as discussed in section three of this essay, *maqāṣid*, both in its traditional and contemporary understanding seeks to safeguard Muslims' interest that at the same time radiates kindness to all. This is in stark contrast to ISIS' atrocities toward non-Muslims, both within and beyond its territory. Hence, ISIS claim on the obligatory of *hijra* is far from the truth.

Conclusion

This essay has argued that the two emigrations in Islamic history were the outcome of continuous ill-treatment targeted at earlier Muslims. In addition to recognizing the root cause of *hijra* in its classical sense, it is equally important to examine the events from the *Maqāṣid Ash-Sharīʿah's* standpoint. This is essential in order to appreciate the wisdom of a prescribed Islamic law. ISIS, on the other hand, relies heavily on historical narrative and literal interpretation of religious texts to support their hijra propaganda. The group has total disregard of the importance of the *maqāṣid* dimension in this respect. In other words, they fail to convincingly answer the "why question: Why is *hijra* needed today when there is no

79

Muhammad Saiful Alam Shah Bin Sudiman: Countering ISIS Call for *Hijra*.

persecution of Muslims? Why are Muslims' presence in the so-called "fabricated borders" more important than abandoning efforts built by earlier generations?

ISIS' *hijra* propaganda has appealed to some because it not only controls territories but also commands its own military, administers its own judicial system and most importantly, it is led by a 'caliph'. This is a structure that very much resembles past Islamic caliphates and many would and have fallen for this misconception. However, as presented in this paper, not many are aware of the discourse of *Maqāṣid Ash-Sharīʿah*, let alone its classifications and the development it had undergone in response to an ever-changing environment. If they are aware of *Maqāṣid Ash-Sharīʿah* other than just *Sharīʿah*, they would be able to comprehend why ISIS' call for hijra does not bear any weight. They will realize that ISIS' call is not in congruent with the spirit of *Sharīʿah*.

Muhammad Saiful Alam Shah Bin Sudiman: Countering ISIS Call for *Hijra.*

References

Ali, A. Y. (1982). *The Holy Quran.* Lahore, SH. Muhammad Ashraf.

Ali, M. B. (2015). Forging Muslim and Non-Muslim Relationship: Contesting the Doctrine of Al-Wala'wal Bara'. http://www.rsis.edu.sg/wp-content/uploads/2015/11/CO15251.pdf (Accessed: November 23, 2015).

Al Arabiya. (2014). Qaradawi says 'jihadist caliphate' violates sharia. *Al Arabiya*, [online] Retrieved from http://english.alarabiya.net/en/News/middle-east/2014/07/05/Qaradawi-says-jihadist-caliphate-violates-sharia-.html (Accessed: July 3, 2016).

Al-Ghazali, A. H. M. (1997). *al-Mustasfa min Ilm al-Usul* (Vol. 1). Beirut: Dar Ehia Al-Tourath Al-Arabi.

Al-Hajjaj, M. B. (2007). *English Translation of Sahih Muslim* (N. al-Khattab, Trans. H. K. Hâfiz Abu Tâhir Zubair 'Ali Za'i Ed. Vol. 5). Riyadh: Maktaba Dar-us-Salam.

Al-Juwayni, A. A.-M. (1979). *Al-Burhān Fī Uṣūl al-Fiqh* (A. A.-A. Ad-Diyab Ed.). Qatar.

Al-Qaradawi, Y. (1973). *Fiqh al-Zakat*. Beirut: Muassasah Ar-Risālah.

Al-Qaradawi, Y. (1993). *Madkhal Li Dirāsāt As-Syarīʿah Al-Islāmiyyah*. Beirut: Muassasah Ar-Risālah.

Al-Qarafi, S. A. (1994). *Adh-Dhākhirah.* Beirut: Dār Al- ʿArab.

Al-Yaqoubi, M. (2015). *Refuting ISIS: A Rebuttal Of Its Religious And Ideological Foundations*. United States: Sacred Knowledge.

Al-Zuhaili, M. (2009). *Mawsūʾah Qaḍāyā Islāmiyyah Muʿāṣarah* (Vol. 5). Damascus: Darul Maktaby.

Al-ʿAlwani, T. J. (2001). *Maqāṣid Ash-Sharīʿah*. Beirut: Dar Al-Hadi.

Archive.org, (2012). *PUPJI English Translation.* [online] Available at: https://archive.org/stream/Pupji-EnglishTranslation_45/Pupji-englishTranslation#page/n139/mode/2up (Accessed 4 June. 2017).

Archive.org, (2014). Those who break off from their tribes. *Dabiq*, (3), p.6. [online] Available at: https://archive.org/details/dabiq-magazine-3_isglobe (Accessed 1 Mar. 2015).

Archive.org, (2014). Hijrah from hypocrisy to sincerity. *Dabiq*, (3), p.26. [online] Available at: https://archive.org/details/dabiq-magazine-3_isglobe (Accessed 1 Mar. 2015).

Archive.org, (2014). Modern day slavery. *Dabiq*, (3), p.29. [online] Available at: https://archive.org/details/dabiq-magazine-3_isglobe (Accessed 1 Mar. 2015).

Archive.org, (2014).The Fear of Hypocrisy. *Dabiq*, (3), pp.26-27. [online] Available at: https://archive.org/details/dabiq-magazine-3_isglobe (Accessed 1 Mar. 2015).

Archive.org, (2014).There is no life without jihād and there is no jihād without hijrah. *Dabiq*, (3), p.31. [online] Available at: https://archive.org/details/dabiq-magazine-3_isglobe (Accessed 1 Mar. 2015).

Archive.org, (2015).Walā' and barā'. *Dabiq,*(10), pp.38-40. [online] Available at: https://archive.org/details/Dabiq10_20150714 (Accessed 28 June. 2017).

Archive.org, (2015).The Danger of Abandoning Dārul-Islām. *Dabiq,*(11), pp.22-23. [online]

Available at: https://archive.org/details/DABIQ_11_2015 (Accessed 15 Nov. 2015).

Archive.org, (2016). Amīr haiʾāt al-hijrah: Man atānā muhājiran ilā Allah aʿannāhu.. wa man arāda dār al-kāfirīna manaʿnāhu. *An-Naba',* (49), pp.8-9. [online] Available at: https://ia801908.us.archive.org/12/items/Naba49/Naba49.pdf (Accessed 3 Nov. 2016).

Armstrong, K. (2002). *Islam: A Short History.* New York: The Modern Library.

Auda, J. (2008). *Maqāṣid Al-Sharīʿah A Beginner's Guide* (D. A. S. A. S.-A. S. Khan Ed.). London, Washington: The International Institure of Islamic Thought (IIIT).

Bin Bayyah, A. (Undated) *Dār al-Islām wa Dār al-Kufr.* [online] Binbayyah. Available at: http://binbayyah.net/arabic/archives/386 (Accessed: 31 Sept. 2016).

Durant, W. (1950). *The Story of Civilization – The Age of Faith* (Vol. 4). New York: Simon & Schuster.

Esposito, J., Voll, J., Siddique, S., Sachedina, A., von der Mehden, F., Akhavi, S., Haddad, Y. and Piscatori, J. (1995). Dar Al-Islam. In: *The Oxford Encyclopedia of the Modern Islamic World.* New York: Oxford University Press, p.338.

Forward, M. (1997). *Muhammad: A Short Biography.* Oxford: Oneworld Publications.

French Isis fighters burn their passports. (2014). [video] Al Hayat. Available at: https://www.theguardian.com/world/video/2014/nov/20/french-isis-fighters-burn-passports-video (Accessed 16 Jul. 2017).

Hallaq, W. B. (1997). *A History of Islamic Legal Theories: An Introduction to Sunni Usul Al-Fiqh.* Cambridge; New York: Cambridge University Press.

Ibn Al-Athīr. (2012). *Usdu Al-Ghābah Fī Maʿrifat Aṣ-Ṣohābah.* Beirut: Dār Ibn Hazm.

Ibn Hisham. (1990). *As-Seera An-Nabawiyya* (O. A. Tadmoury Ed. 3rd ed.). Beirut, Lebanon: Dar al-Kitab al-Arabi.

Ibn Mājah. (2007). *Sunan Ibn Mājah* (Vol.2). Riyadh: Darussalam.

Islamtoday.com, (2003). *Al-Fatāwā Fiqh al-ʿaqalliyyāt.* [online] Available at: http://www.islamtoday.net/fatawa/quesshow-60-19838.htm (Accessed 15 Sept. 2016).

Jihadology. (2016). New video message from The Islamic State: "The Solid Edifice – The Philippines". *Jihadology,* [online] Retrieved from http://jihadology.net/2016/06/21/new-video-message-from-the-islamic-state-the-solid-edifice-the-philippines/ (Accessed: July 3, 2017).

Kamali, M. H. (1999). *Principles of Islamic Jurisprudence* (Second ed.). Kuala Lumpur: Ilmiah Publishers.

Kamali, M. H. (2011). Maqasid al-Shari'ah and Ijtihad as Instruments of Civilisational Renewal: A Methodological Perspective. *Islam and Civilisational Renewal, 2*(2).

Lettertobaghdadi.com, (2014). *Open Letter to Al-Baghdadi.* [online] Available at: http://www.lettertobaghdadi.com/14/english-v14.pdf (Accessed 1 Oct. 2016).

MEMRI.org, (2003). *A New Bin Laden Speech.* [online] Available at: https://www.memri.org/reports/new-bin-laden-speech#_edn1 (Accessed 24 Sept. 2016)

Tubuliyak, S. M. (1997). *Al-Ahkām As-Siyāsiyyah Li Al-Aqalliyyāt Al-Muslimah Fī Al-Fiqh Al-Islamiy*. Amman: Dar Al-Nafais.

Winter, C. (2015). Documenting the virtual 'caliphate'. *Quilliam Foundation*, 33.

About the JD Journal for Deradicalization

The JD Journal for Deradicalization is the world's only peer reviewed periodical for the theory and practice of deradicalization with a wide international audience. Named an "essential journal of our times" (Cheryl LaGuardia, Harvard University) the JD's editorial board of expert advisors includes some of the most renowned scholars in the field of deradicalization studies, such as Prof. Dr. John G. Horgan (Georgia State University); Prof. Dr. Tore Bjørgo (Norwegian Police University College); Prof. Dr. Mark Dechesne (Leiden University); Prof. Dr. Cynthia Miller-Idriss (American University Washington); Prof. Dr. Marco Lombardi, (Università Cattolica del Sacro Cuore Milano); Dr. Paul Jackson (University of Northampton); Professor Michael Freeden, (University of Nottingham); Professor Hamed El-Sa'id (Manchester Metropolitan University); Prof. Sadeq Rahimi (University of Saskatchewan, Harvard Medical School), Dr. Omar Ashour (University of Exeter), Prof. Neil Ferguson (Liverpool Hope University), Prof. Sarah Marsden (Lancaster University), Dr. Kurt Braddock (Pennsylvania State University), and Dr. Michael J. Williams (Georgia State University).

For more information please see: www.journal-derad.com

Twitter: @JD_JournalDerad
Facebook: www.facebook.com/deradicalisation

The JD Journal for Deradicalization is a proud member of the Directory of Open Access Journals (DOAJ).

ISSN: 2363-9849

Editors in Chief: Daniel Koehler, Tine Hutzel

Muhammad Saiful Alam Shah Bin Sudiman: Countering ISIS Call for *Hijra.*